

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

JOHN H. CORCORAN, CLERK
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| A. F. McCUALEY, et al., |) | |
| Plaintiffs |) | Case No. 2:01CV00080 |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| PURDUE PHARMA, L.P., et al., |) | By: Pamela Meade Sargent |
| Defendants |) | United States Magistrate Judge |

These consolidated matters are before the undersigned on the plaintiffs' unopposed motion to compel the deposition of Richard C. Norton, a federal prisoner housed at the Federal Correctional Institution in Edgefield, South Carolina, (Civil Action No. 2:02-cv-00054, Docket Item No. 240; Civil Action No. 2:01-cv-00080, Docket Item No. 338), and plaintiffs' emergency motion to extend the discovery deadline, (Civil Action No. 2:02-cv-00054, Docket Item No. 241; Civil Action No. 2:01-cv-00080, Docket Item No. 339). Oral argument was presented by counsel by telephone conference call on April 23, 2004. Based on the arguments of counsel, it is **ORDERED** as follows:

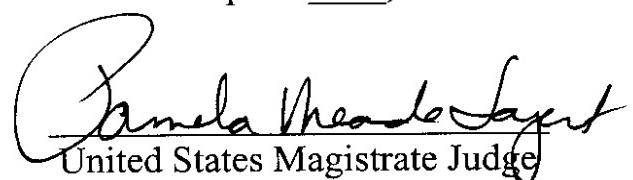
1. Plaintiffs' unopposed motion to compel the deposition of Richard C. Norton, (Civil Action No. 2:02-cv-00054, Docket Item No. 240; Civil Action No. 2:01-cv-00080, Docket Item No. 338), is **DENIED**;
2. Plaintiffs' emergency motion to extend the discovery deadline, (Civil Action No. 2:02-cv-00054, Docket Item No. 241; Civil Action No.

2:01-cv-00080, Docket Item No. 339), is **GRANTED in part** and **DENIED in part**;

3. The depositions of George Baihly, Kimberly Keith, Thomas Wood and Brian Pardue scheduled for April 29 and 30, 2004, shall be conducted as scheduled. If after review of the documents produced by the defendants this week, plaintiffs' counsel believes that there are additional subjects which will need to be addressed with these witnesses, the undersigned will entertain a motion to allow supplemental depositions of these witnesses; and
4. The discovery deadline of April 30, 2004, is extended to May 7, 2004, only in so far as to allow the deposition of the defendants' corporate representative pursuant to the plaintiffs' Rule 30(b)(6) notice.

The Clerk shall forward certified copies of this Order to all counsel of record.

ENTER: April 23, 2004.



Pamela Meador-Jayet
United States Magistrate Judge